

BILL NO. G-97- 10-06

GENERAL ORDINANCE NO. G- 12-97

AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating dedicated right-of-way.

WHEREAS, a petition to vacate dedicated right-of-way within the City of Fort Wayne, Indiana, (as more specifically described below) was duly filed with the City Clerk of the City of Fort Wayne, Indiana; and

WHEREAS, Common Council of the City of Fort Wayne, Indiana, duly held a public hearing and approved said petition, as provided in I.C. 36-7-3-12.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

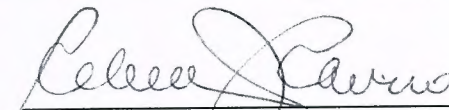
SECTION 1. That the petition filed herein to vacate a dedicated right-of-way within the City of Fort Wayne, Indiana, more specifically described as follows, to-wit:

Part of Kinnaird Avenue lying West of Brooklyn Avenue and East of the Wabash Railroad located in Section 15, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

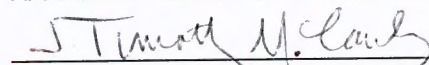
Beginning at the Southeast corner of Parcel #2 in Hohnhausen's Subdivision in Section 15, Township 30 North, Range 12 East, Allen County, Indiana as recorded in Plat Record 14 page 29, said point being the intersection of the West right of way line of Brooklyn Avenue and the North right of way line of Kinnaird Avenue, thence West along the North right of way line and the South line of Parcel #2 and Parcel #4, a distance of 1082.1 feet to a point on the Southeasterly right of way line of the Wabash Railroad, thence Southwesterly with a deflection angle to the left of 37 degrees 16 minutes along the Southeasterly right of way of the Wabash Railroad, a distance of 82.57 feet to a point on the South right of way line of Kinnaird Avenue; thence East with a deflection angle to the left of 142 degrees 44 minutes along the South right of way line of Kinnaird Avenue, a distance of 1149.28 feet to the intersection of the South right of way line of Kinnaird Avenue and the West right of way line of Brooklyn Avenue; thence North with a deflection angle to the left of 91 degrees 41 minutes, a distance of 50.02 feet to the point of beginning, containing 1.28 acres.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.


SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.


COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:


J. TIMOTHY MCCAULAY, CITY ATTORNEY

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Sandra E. Kennedy, City Clerk

Read the first time in full and on motion by Rennie,
and duly adopted read the second time by title and referred to the Committee on
Regulations, (and the City Plan Commission for recommendation)
and Public Hearing to be held after due legal notice, at the Common Council Conference
Room 128, City-County Building, Fort Wayne, Indiana, on Tuesday,
the 25th day of October, 1997, at 5:30
o'clock P. M., E.S.T.

DATED: 10-14-97

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Hayhurst,
and duly adopted, placed on its passage. PASSED
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS	<u>✓</u>			
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY				<u>✓</u>
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			

DATED: 11-4-97

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,
as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL)

(ZONING) ORDINANCE RESOLUTION NO. 12-12-97
on the 4th day of November, 1997

ATTEST: Sandra E. Kennedy SEAL Rebecca Rennie
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the
5th day of November, 1997,
at the hour of 10:30 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 6th day
of November, 1997, at the hour of 1:45
o'clock P. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR



Vacation Petition

City Clerk / Room 122 City County Building / Fort Wayne, IN 46802 / (219) 427-1208

I/We do hereby petition to vacate the following:

#640

☐ Easement

☒ Public Right-of-Way (street or alley)

More particularly described as follows:

(Please attach a legal description of the property requested to be vacated, along with a survey or other acceptable drawing showing the property.)

The reasons for the proposed vacation are as follows:

To allow a 72,222 square foot expansion to the existing Sears & Roebuck Warehouse at #3102 Brooklyn Ave.

(If additional space is needed please attach a separate page)

The name and addresses of all adjacent property owners must also be provided by the applicant.

Property owner(s) name(s): John W. and Mimi Demos

Street Address: c/o Accolade Management, P.O. Box #831

City: Carmel State: IN Zip: 46032 Phone:

Property owner(s) name(s): Norfolk and Western Railway Company

Street Address: 8 N Jefferson St.

City: Roanoke State: VA Zip: 24011 Phone:

Property owner(s) name(s): Evelyn Mane Sellet

Street Address: 8621 Encento Way

City: Fort Wayne State: IN Zip: 46815 Phone: (219) 485-3811

Property owner(s) name(s):

Street Address:

City: State: Zip: Phone:

Property owner(s) name(s):

Street Address:

City: State: Zip: Phone:

(If additional space is needed please attach a separate page)

Applicants Name (if different from above): John W. Demos

Street Address: c/o Guardian DEV, Co., #1113 S. Franklin Road

City: Indianapolis, State: IN Zip: 46239 Phone: (317) 353-0169

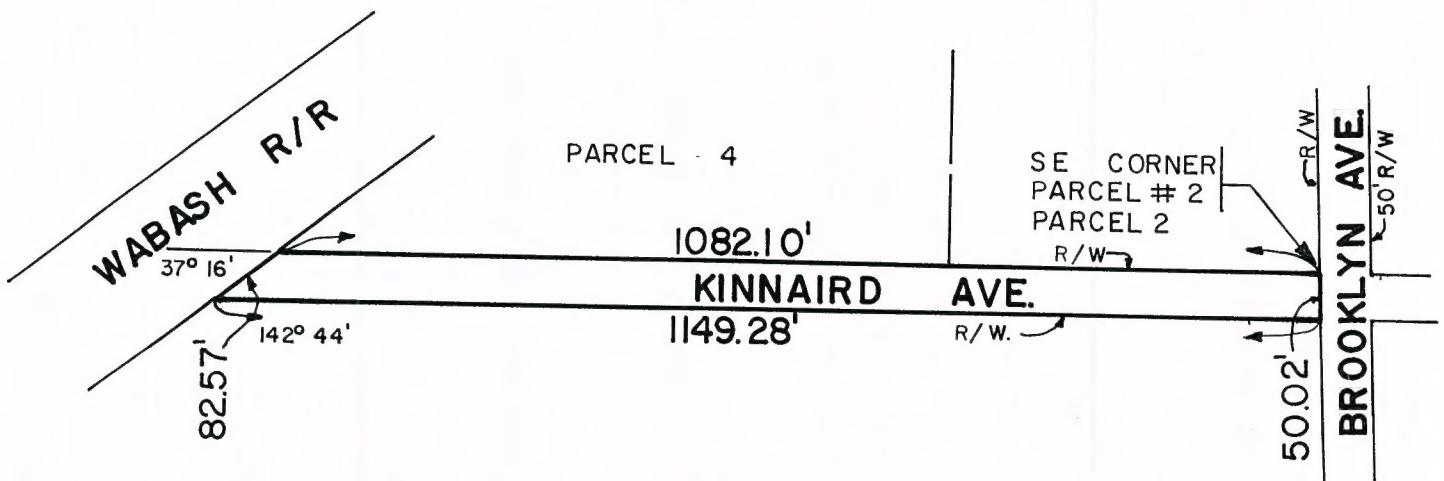
CERTIFICATE OF SURVEY

GREGORY L. ROBERTS PLS S0548 IN
KENNETH W. HARRIS PLS 9500021 IN

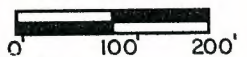
DONOVAN ENGINEERING INC
2020 INWOOD DRIVE
EXECUTIVE PARK
FORT WAYNE, INDIANA 46815

JOHN R. DONOVAN PE 9173 PLS 9921 IN
FRANCIS X. MUELLER PLS S0193 IN

The undersigned has made a re-survey of the real estate located in Allen County, Indiana, as shown and described below. The description of the real estate is as follows:



Scale: 1" = 200'



Job No.
Job for:

Date: 9-11-97

LEGEND

IPF	Iron Pin Found
PF	Iron Pipe Found
IPS	5/8" re-bar set (with cap stamped #0027)
PK	P.K. Nail
(M)	Measured
(R)	Recorded
(C)	Calculated

All monuments are at grade except as noted.
All property line distances are recorded
dimensions, except as noted.
Monuments found have no documented history,
except as noted.

Date of field work:

Gregory L. Roberts

I hereby certify that this survey was completed under my direct supervision and to the best of my knowledge and belief was executed according to the survey requirements set forth in 865 IAC 1-12.

I/We, your petitioners, file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance. I/We agree to abide by all provisions of the Fort Wayne Zoning Ordinance and/or Subdivision Control Ordinance, as well as all procedures and policies of the Fort Wayne City Plan Commission as those provisions, and policies relate to the handling and disposition of this petition. I/We also certify that this information is true and accurate to the best of my/our knowledge.

Signature

Printed Name

Date

1113 S. Franklin Road

Address

Indianapolis, Indiana 46239

City/state/zip

Signature

Printed Name

Date

Address

City/state/zip

(If additional space is needed please attach a separate page)

Agents Name (Please print legibly):

Mary I. McManus, Donovan Engineering, Inc.

Street Address:

2020 Inwood Drive

City: Fort Wayne

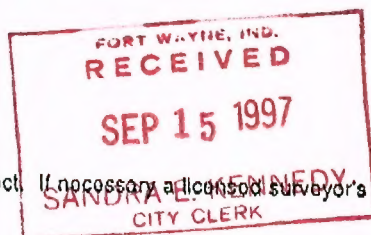
State: IN

Zip: 46815

Phone: (219) 424-7418

NOTICE:

- Legal description is to be of the area to be vacated and must be complete and correct. If necessary a licensed surveyor's legal description may be required.
- All adjacent property owner's signatures must accompany this application.
- Applicant is hereby informed that in the case of a utility being located in a public way or easement, the applicants may be required to bear the cost of relocation, or of providing a replacement easement or easements as needed.



For Office Use Only:

Receipt #:	Date Filed:
Map #:	Reference #:

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

James L. Russell, R.L.S.
2527 Scotswolde Drive
Fort Wayne, IN 46808

4a. Article Number

304-164-522

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☒ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

10-23-92 RJK

5. Received By: (Print Name)

Beth Doherty

6. Signature: (Addressee or Agent)

X

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

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I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Richard Clauss
6813 Co. Rd. 327
Garrett, IN 46738

4a. Article Number

P 304 164 515

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☒ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

OCT 22 1992

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

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I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Chapter Two
3221 Crescent Avenue
Fort Wayne, IN 46805

4a. Article Number

P 304 164 524

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☒ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

10/23

5. Received By: (Print Name)

MARSHA ESCHBACH

6. Signature: (Addressee or Agent)

Marsha Eschbach

X

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

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I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

A & C Realty, Inc.
5733 Brighton Drive
Fort Wayne, IN 46825

4a. Article Number

P 304 164 525

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☒ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

10-27-97

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X Carol M. Galbraith

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

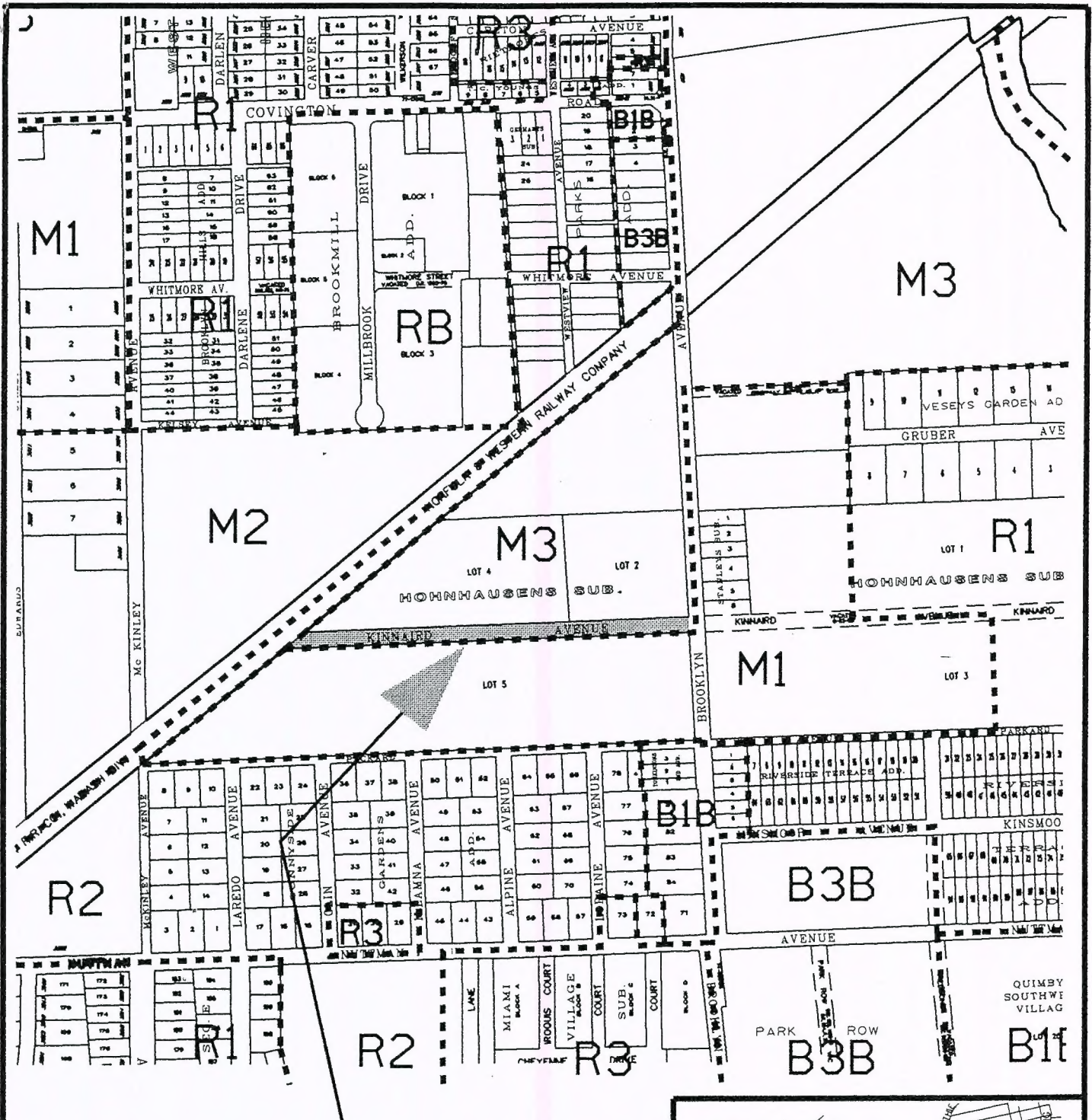
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Part of Kinnaird Avenue lying West of Brooklyn Avenue and East of the Wabash Railroad located in Section 15, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Beginning at the Southeast corner of Parcel #2 in Hohnhausen's Subdivision in Section 15, Township 30 North, Range 12 East, Allen County, Indiana as recorded in Plat Record 14 page 29, said point being the intersection of the West right of way line of Brooklyn Avenue and the North right of way line of Kinnaird Avenue, thence West along the North right-of-way line and the South line of Parcel #2 and parcel #4, a distance of 1082.1 feet to a point on the Southeasterly right of way line of the Wabash Railroad; thence Southwesterly with a deflection angle to the left of 37 degrees 16 minutes along the Southeasterly right-of-way of the Wabash Railroad, a distance of 82.57 feet to a point on the South right-of-way line of Kinnaird Avenue; thence East with a deflection angle to the left of 142 degrees 44 minutes along the South right-of-way line of Kinnaird Avenue, a distance of 1149.28 feet to the intersection of the South right-of-way line of Kinnaird Avenue and the West right-of-way line of Brooklyn Avenue; thence North with a deflection angle to the left of 91 degrees 41 minutes, a distance of 50.02 feet to the point of beginning, containing 1.28 acres.

VACATION



STREET TO BE VACATED

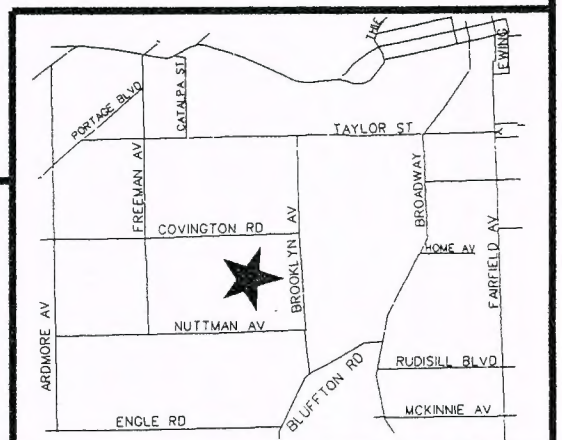
VACATION PETITION

CASE NUMBER 640

COUNCIL DISTRICT 4

MAPS J-7

R B - RESIDENTIAL
 R 1 - ONE FAMILY RESIDENTIAL
 R 2 - TWO FAMILY RESIDENTIAL
 R 3 - MULTIPLE-FAMILY RESIDENTIAL
 B 1 B - LIMITED BUSINESS
 B 3 B - GENERAL BUSINESS
 M 1 - LIGHT INDUSTRIAL
 M 2 - GENERAL INDUSTRIAL
 M 3 - HEAVY INDUSTRIAL



BILL NO. G-97-10-06

REPORT OF THE COMMITTEE ON REGULATIONS

REBECCA J. RAVINE - THOMAS E. HAYHURST - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON REGULATIONS ~~RESOLUTION~~ TO WHOM WAS
REFERRED AN (ORDINANCE) ~~RESOLUTION~~ amending the
Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating
dedicated right-of-way

HAVE HAD SAID (ORDINANCE) ~~RESOLUTION~~ UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) ~~RESOLUTION~~

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Rebecca Ravine

Thomas E. Hayhurst

William D. Bunker

William D. Bunker

Rebecca Ravine

John A. Bunker

William D. Bunker

William D. Bunker

William D. Bunker

William D. Bunker

William D. Bunker

William D. Bunker

William D. Bunker

William D. Bunker

William D. Bunker

William D. Bunker

William D. Bunker

DATED: 11-4-97

Sandra E. Kennedy
City Clerk

ORIGINAL

ORIGINAL

#640

DIGEST SHEET

TITLE OF ORDINANCE Street Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE A portion of Kinnaird Avenue, east
of Brooklyn Avenue and west of the Wabash Railroad Tracks.

12-57-10-06

EFFECT OF PASSAGE Property is currently dedicated public
right-of-way. Property will be vacated and revert to the
ownership of the adjacent property owners.

EFFECT OF NON-PASSAGE Property will remain dedicated public
right-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE) _____

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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- Complete items 3, 4a, and 4b.
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- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

NORFOLK & WESTERN RAILWAY CO.
8 N JEFFERSON STREET
ROANOKE, VA 24011

4a. Article Number

P 304 164 511

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☒ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X *Don Edwards*

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

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I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

JOHN W. DEMOS
C/O GUARDIAN DEV. CO.,
1113 FRANKLIN ROAD
INDIANAPOLIS, IN 46239

4a. Article Number

P 304 164 529

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☒ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

10/24/97

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X *Erica White*

PS Form 3811, December 1994

Domestic Return Receipt

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I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

MARY I. McMANUS
DONOVAN ENGINEERING, INC.
2020 INWOOD DRIVE
FORT WAYNE, IN 46815

4a. Article Number

P 304 164 528

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☒ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

10-23-97

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

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I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

EVELYN MANE SELLET
8621 ENCENTO WAY
FORT WAYNE, IN 46815

4a. Article Number

P 304 164 533

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☒ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

10-24

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 304 164 533

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	
EVELYN SELLET	
Street & Number	
8621 ENCENTO WAY	
Post Office, State, & ZIP Code	
FORT WAYNE, IN 46815	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

P 304 164 511

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	
NORFOLK & WESTERN RAILWAY	
Street & Number	
8 N JEFFERSON STREET	
Post Office, State, & ZIP Code	
ROANOKE, VA 24011	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

P 304 164 529

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	
JOHN W. DEMOS	
Street & Number	
1113 FRANKLIN DEV.	
Post Office, State, & ZIP Code	
INDIANAPOLIS, IN 46239	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

P 304 164 528

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	
Mary I. McManus	
Street & Number	
2020 INWOOD DRIVE	
Post Office, State, & ZIP Code	
FORT WAYNE, IN 46815	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

October 15, 1997

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of October 18, 1997, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bill No. G-97-10-06
Street Vacation Ordinance

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-97-10-06)

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON TUESDAY, OCTOBER 28, 1997, AT 5:30 O'CLOCK P.M., E.S.T. IN THE COMMON COUNCIL CONFERENCE ROOM 128, CITY-COUNTY BUILDING, ONE MAIN STREET, FORT WAYNE, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

13 Part of Kinnaird Avenue lying West of Brooklyn Avenue and East of the Wabash Railroad
14 located in Section 15, Township 30 North, Range 12 East, Allen County, Indiana, more
15 particularly described as follows:

16 Beginning at the Southeast corner of Parcel #2 in Hohnhausen's Subdivision in Section 15, Township
17 30 North, Range 12 East, Allen County, Indiana as recorded in Plat Record 14 page 29, said point
18 being the intersection of the West right of way line of Brooklyn Avenue and the North right of way
19 line of Kinnaird Avenue, thence West along the North right of way line and the South line of Parcel
20 #2 and Parcel #4, a distance of 1082.1 feet to a point on the Southeasterly right of way line of the
Wabash Railroad, thence Southwesterly with a deflection angle to the left of 37 degrees 16 minutes
along the Southeasterly right of way of the Wabash Railroad, a distance of 82.57 feet to a point on
the South right of way line of Kinnaird Avenue; thence East with a deflection angle to the left of 142
degrees 44 minutes along the South right of way line of Kinnaird Avenue, a distance of 1149.28 feet
to the intersection of the South right of way line of Kinnaird Avenue and the West right of way line
of Brooklyn Avenue; thence North with a deflection angle to the left of 91 degrees 41 minutes, a
distance of 50.02 feet to the point of beginning, containing 1.28 acres.

ALL INTERESTED PARTIES ARE INVITED TO APPEAR AND BE HEARD.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH THE STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219) 427-1120, TTY (219) 427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221 • FAX 219-427-1371

SANDRA E. KENNEDY, CITY CLERK

October 22, 1997

Evelyn Mane Sellet
8621 Encento Way
Fort Wayne, IN 46815

Dear Ms Sellet:

We are sending you this letter to let you know that the City of Fort Wayne Common Council will hold a public hearing on Tuesday, October 28, 1997, at 5:30 P.M. Common Council will hold the public hearing in the Common Council Conference Room 128, of the City-County Building. Room 128 is located on the first floor the City-County Building, on the Calhoun Street side of the building. The following request will be on the agenda for the public hearing.

PROPOSAL: Street Vacation
APPLICANT: John W. Demos
REASON: To allow a 72,222 square foot expansion to the existing Sears & Roebuck Warehouse at 3102 Brooklyn Ave.
LOCATION: Warehouse at 3102 Brooklyn Ave.

We are sending you this notice because you own property which is adjacent to the property included in this vacation request. This public hearing is your opportunity to offer input on the request. If you have any questions about the public hearing, please call the City Clerk's office at 427-1208. If you any questions about the vacation request, please call the City Planning Department at 427-1129.

FORT WAYNE COMMON COUNCIL

Sandra E. Kennedy
City Clerk

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

61 lines, 1 columns wide equals 61 equivalent lines

at .364 cents per line

\$ 22.20

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 23.20

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: OCT 18, 19 97

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned **JULIE L SMITH** who, being duly sworn, says that he/she is **Clerk** of the **The Journal-Gazette** newspaper of general circulation printed and published in the English language in the (city) (town) of **Fort Wayne, IN** in state and county aforesaid, and that the printed matter

hereto is a true copy, which was duly published in said paper for time , the dates of publication being as follows:
10-18-97

JULIE L SMITH
bed and sworn to before me this **18th** day of **OCT**, 19 **97**.

MARY L SCHNEIDER

NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

MY COMMISSION EXP JUNE 14, 2001

mission expires:

way line or Kinnaird Avenue; thence East with a deflection angle to the left of 142 degrees 44 minutes, a distance of 1149.28 feet to the intersection of the South right of way line of Kinnaird Avenue and the North right of way line of Brooklyn Avenue; thence North with a deflection angle to the left of 91 degrees 41 minutes, a distance of 50.02 feet to the point of beginning, containing 1.28 acres.

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SANDRA E. KENNEDY
CITY CLERK
#616942
10-18

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FW COMMON COUNCIL
(Governmental Unit)

To: The News-Sentinel Dr.
P.O. Box 100
Fort Wayne, IN

ALLEN County, Indiana

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Date: OCT 18, 19 97

Title: Julie L. Smith
Clerk

PUBLISHER'S AFFIDAVIT
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SANDRA E. KENNEDY
CITY CLERK
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10-18
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ed Richardson, No. 53 and Joe

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L SMITH who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time, the dates of publication being as follows:

10-18-97

Subscribed and sworn to before me this 18th day of OCT, 19 97.

Mary L. Schneider
Notary Public

My commission expires:

MARY L SCHNEIDER
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP JUNE 14, 2001